

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HENRY SCHEIN, INC.,
a Delaware corporation,

Plaintiff,

v.

CRAIG HOLBROOK, HOLBROOK
ENTERPRISES, LLC d/b/a GLOBAL
MEDICAL & DENTAL, a Hawaii limited
liability company, and PATTERSON DENTAL
SUPPLY, INC., a Minnesota corporation,

Defendants.

09 CV 2769 (LDW)(AKT)

**CERTIFICATION PURSUANT TO
RULE 65(b)**

Scott A. Eggers, an attorney duly admitted to practice in the State of New York and in the United States District Court for the Eastern District of New York, hereby certifies, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, that:

1. I am a Senior Counsel with Proskauer Rose LLP, counsel for plaintiff Henry Schein, Inc. ("Schein").
2. On June 30, 2009, at approximately 5:49p.m., I phoned Mathew Levitt, General Counsel for Defendant Patterson Dental Supply, Inc. and advised him that we would be presenting a proposed Order to Show Cause containing a Temporary Restraining Order in the Eastern District of New York, Long Island Courthouse. I told him that we had spoken with the Hon. Leonard D. Wexler's Clerk who instructed us to appear at 10:30am. I memorialized the phone call in an e-mail to Matthew Levitt at approximately 7:04 p.m.
3. On June 30, 2009, at approximately 5:58 p.m., I phoned Seth Spitzer of the firm Schnader Harrison Segal & Lewis LLP. Mr. Spitzer confirmed that his firm had been retained by Defendants Craig Holbrook and Holbrook Enterprises, LLC d/b/a Global Medical & Dental. I advised Mr. Spitzer that we would be presenting a proposed Order to Show Cause

containing a Temporary Restraining Order in the Eastern District of New York, Long Island Courthouse. I told him that we had spoken with the Hon. Leonard D. Wexler's Clerk who instructed us to appear at 10:30am. I memorialized the phone call in an e-mail to Seth Spitzer at approximately 7:04 p.m.

4. On June 30, 2009, at approximately 7:30 p.m., I phoned Scott Rose of Willkie Farr & Gallagher LLP, who informed me that his firm had been retained to represent Patterson Dental Supply, Inc. I confirmed to Mr. Rose that we would be presenting a proposed Order to Show Cause containing a Temporary Restraining Order to Judge Wexler at 10:30 am on July 1, 2009.

5. Plaintiff is moving by Order to Show Cause rather than by motion because Defendants' actions have caused, and will continue to cause, Schein immediate and irreparable harm and economic damage.



Scott A. Eggers

Dated: July 1, 2009
New York, New York

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